

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

BANE AND ASSOCIATES, INC.

Case No. 3:13-cv-008

Plaintiff,

-vs-

Judge Walter H. Rice

BALWANT C. PATEL, et. al.,

Defendant.

ORDER

Service within 120 days of filing: This action was filed January 16, 2013 as of the date of this Order, Plaintiff has filed neither a waiver of service nor proof of service on Defendant.

Plaintiff is reminded that Fed. R. Civ. P. 4(m) requires the Court to dismiss an action in which service is not made within 120 days of filing the Complaint. Plaintiff's time for filing proof of service or waiver expires May 16, 2013 Unless proof of service is filed by that date, the Court will dismiss the Defendant from this action for lack of service of process.

DONE and **ORDERED** in Dayton, Ohio, this 22nd day of March, 2013.

s/ Walter H. Rice
WALTER H. RICE, JUDGE
UNITED STATES DISTRICT COURT